

HEARINGS SUB- COMMITTEE OF THE EPPING FOREST STANDARDS COMMITTEE

Pre hearing process summary

Name of Authority: Epping Forest District Council

Name of member who the allegation has been made about:

Councillor Ms Sydney-Ann Stavrou

Name of the person who made the original allegation: Mr Robert Wood and Mr and Mrs Stephen Wood

Council Case Reference Numbers : EFDC 1/2008 and 3/2008

Name of the Standards Committee Member who will chair the hearing:

Mr Grenville Weltch

Name of the Monitoring Officer: Miss Colleen O'Boyle.

Name of the Investigating Officer: Mr Ian Willett

Name of the Administrative Officer for the Hearing: Mr Graham Lunnun

The date the pre-hearing process summary was produced: 13 March 2009

The date, time and place of the hearing: 31 March 2009 at 7.00 pm in Committee Room 2, Civic Offices, High Street, Epping, Essex CM16 4BZ.

Summary of the Allegation:

The complaints concern:

- (a) an argument on 3 June 2008 outside Mr and Mrs S Wood's premises (known as Lira Nursery) between Councillor Stavrou and Mr R Wood in which the allegation of the latter is that the former used bad language against Mr R Wood and made threats that she would take action to close down the nursery and remove a retaining barrier on the highway frontage; and
- (b) an allegation by Mr and Mrs S Wood that the incident on 3 June 2008 constituted victimisation against both the nursery and the family.

Relevant Sections of the Code of Conduct:

- (a) Section 2(1)(b) – Application of the Code of Conduct when a Councillor acts, claims to act or gives the impression of acting as a representative of an authority;
- (b) Section 3(1) – Treating others with respect;
- (c) Section 3(2)(b) – Bullying of any person;
- (d) Section 5 – Conduct in a manner which could reasonably be regarded as bringing the office of Councillor or an authority into disrepute; and

- (e) Section 6(a) – Not using, nor attempting to use, the position of Councillor to secure a personal advantage or an advantage or disadvantage for any other person.

The findings of fact in the Investigating Officer's report that are agreed:

All of the findings of fact in the Investigating Officer's report are agreed.

Member to attend or be represented:

Councillor Ms Stavrou will be present and will be represented by Councillor Mitchell Cohen, LLB (Hons), ACI Arb, Dip Crim, HCA, Solicitor of the Supreme Court.

Names of witnesses to give evidence:

No witnesses are being asked to give evidence, subject to the power of the Sub-Committee to make a ruling on this at the hearing.

Outline of proposed procedure for the hearing

- (a) Introductions.
- (b) To consider representations , if any, about the exclusion of press and public and the withholding of documents from the public.
- (c) If necessary, Investigating Officer and Councillor Cohen to make submissions regarding findings of facts. Sub-Committee to consider facts set out in the Investigating Officer's report, and make findings about the facts.
- (d) Investigating Officer and Councillor Cohen to make submissions on whether or not Councillor Stavrou has breached the Code of Conduct. Sub-Committee to determine whether the facts represent a breach of the Code.
- (e) If the Sub-Committee decides there has been a breach, to decide whether no action needs to be taken or whether to impose a penalty and, if so, what that penalty should be - after considering further submissions of the Investigating Officer and Councillor Cohen.
- (f) The Sub-Committee to consider whether it is minded to make any recommendations to the Council with a view to promoting high standards of conduct among Councillors.